



FEDERAL CHARTER/HEADBOAT PERMIT EMERGENCY
RULE APPLICATION FOR VESSELS FISHING IN THE
EXCLUSIVE ECONOMIC ZONE (EEZ)

FOR OFFICE USE ONLY
Check/money order #:
Reviewer's Initials/Date:
Violation Date:
Violation Cleared Date:
Expiration Date:

I am eligible by permit history because I held Gulf of Mexico Charter permits between 03/29/2000 and 03/29/2001.
Fill out sections 1; 205 (as applicable); 8-10

I am eligible as a Historical Captain because (1) I operated a charter vessel between January 1, 1997 and March 29, 2001 for someone that held Gulf of Mexico Charter Headboat Permits; (2) at least 25% of my income was derived from charter vessel or headboat fishing in one of the years 1997, 1998, 1999 or 2000, AND (3) a result of the Gulf of Mexico Charter/Headboat moratorium I have suffered an economic harm.

I am eligible by Vessel Under Construction because (1) I spent a minimum of \$5000 prior to 03/29/2001 on the construction or purchase of a charter/headboat for use in the Gulf of Mexico AND (2) as a result of the Gulf of Mexico Charter/Headboat moratorium I have suffered an economic harm.
Fill out sections 1; 2-5 (as applicable); 6; and 8-10

1. PROOF OF ECONOMIC HARM:

USCG DOCUMENT NUMBER or STATE REGISTRATION NUMBER of the vessel for which you possessed Gulf of Mexico Charter Headboat permits for some period between 03/29/2000 and 11/12/2003.

NAME OF REGISTERED OWNER (Permit Owner)

NOTE: An applicant who believes he/she meets the economic harm criteria based on ownership of a vessel under a different name, as may have occurred when ownership has changed from individual to corporate or vice versa, must document his/her continuity of ownership.

In order to qualify for a permit under this Emergency Rule, an applicant must meet one of the original qualifying criteria *and* have suffered an Economic Harm. EconomicHarm, for the purposed of this emergency rule, is based on the concept that a person suffered a tangible loss as a result of the inability to operate in the fisheries after the moratorium in the same manner as he/she did prior to the moratorium. If the vessel listed in this section was issued a charter vessel/headboat permit for coastal migratory pelagic fish, then economic harm is also contingent upon the vessels's operation in the Gulf of Mexico. Please check all that apply:

I held a charter headboat permit for Reef Fish between March 29, 2000 and November 12, 2003.

I held a charter headboat permit for coastal migratory pelagic fish between March 29, 2000 and November 12, 2003 that operated in the Gulf of Mexico, as indicated by the Home Port listed in my Permit File located in the NMFS Southeast Regional Office.

I held a charter headboat permit for coastal migratory pelagics between March 29, 2000 and November 12, 2003 that operated in the Gulf of Mexico, as indicated by the Hailing Port on the Coast Guard Documentation for the permitted vessel; appropriately dated logbooks, passenger manifests, or fuel receipts for the permitted vessel that clearly indicate operation within the Gulf; appropriately dated receipts for dock rental for the permitted vessel from a Gulf-based marina; or other documenation enclosed with this application.

2. VESSEL INFORMATION - THE VESSEL FOR WHICH YOUR PERMITS WILL BE ISSUED

Please Note that a COPY of your current (not expired) USCG Certificate of Documentation or if the vessel is not documented then your state vessel registration is REQUIRED with the application. Please do not send your original.

USCG DOCUMENT NUMBER or STATE REGISTRATION NUMBER

VESSEL NAME

HULL IDENTIFICATION or IMO NUMBER

YEAR BUILT

LENGHT (FEET)

TOTAL PASSENGER CAPACITY

USCG DOCUMENTED VESSELS ONLY

GROSS TONS

NET TONS

HOLD CAPACITY (TONS)

TOTAL HORSEPOWER

USCG Inspected vessels MUST provide a copy of the valid Certificate of Inspection. Applicants that do not provide a Certificate of Inspection will be restricted to a six-person passenger capacity on their Gulf charter/headboat permit.

HOME MATERIAL

FIBERGLASS

STEEL

WOOD

CEMENT

OTHER

FUEL TYPE

DIESEL

GAS

OTHER

TOTAL FUEL
CAPACITY
(GALLONS)

3. VESSEL OWNER - AS SHOWN ON THE USCG DOCUMENTATION OR STATE REGISTRATION. IF VESSEL IS OWNED BY A BUSINESS, SHOW THE BUSINESS NAME AND ADDRESS. IF THE VESSEL IS OWNED BY JOINT OWNERS, LIST THE FIRST JOINT OWNER HERE, COPY THIS PAGE AS NECESSARY FOR ADDITIONAL OWNERS.

VESSEL IS OWNED BY:

INDIVIDUAL or JOINT OWNERSHIP

BUSINESS

LAST NAME OR NAME OF CORPORATION/BUSINESS

FIRST NAME

MIDDLE NAME

SUFFIX (Sr., Jr. II, etc)

DATE OF BIRTH OR DATE BUSINESS FILED WITH YOUR STATE (MM/DD/YYYY)

FEDERAL ID NUMBER (FEIN) if a business owns the vessel or Social Security Number (SSN) if an individual owns the vessel

AREA CODE AND PHONE NUMBER

MAILING ADDRESS

CITY

STATE

COUNTY

ZIP CODE

COUNTRY

For Additional owners, photocopy this page and attach as required.

4. LEASE INFORMATION: THIS INFORMATION IS ONLY REQUIRED IF THE PERMIT OWNER LEASES THE VESSEL FROM THE VESSEL OWNER

INDIVIDUAL LESSEE

BUSINESS LESSEE

VESSEL IS OWNED BY:

INDIVIDUAL or JOINT OWNERSHIP

BUSINESS

LAST NAME OR NAME OF BUSINESS

FIRST NAME

MIDDLE NAME

Suffix (Sr., Jr. II, etc)

DATE OF BIRTH OR DATE BUSINESS FILED WITH YOUR STATE (MM/DD/YYYY)

FEDERAL ID NUMBER (FEIN) if a business owns the vessel or Social Security Number (SSN) if an individual owns the vessel

AREA CODE AND PHONE NUMBER

MAILING ADDRESS

CITY

STATE

COUNTY

ZIP CODE

COUNTRY

5. BUSINESS OR CORPORATION OFFICER INFORMATION. Business officer information is required for permits and/or vessels owned by business.

Business to which this prson is associated:

Position in company:

LAST NAME OR NAME OF BUSINESS

FIRST NAME

MIDDLE NAME

Suffix (Sr., Jr. II, etc)

DATE OF BIRTH OR DATE BUSINESS FILED WITH YOUR STATE (MM/DD/YYYY)

FEDERAL ID NUMBER (FEIN) if a business owns the vessel or Social Security Number (SSN) if an individual owns the vessel

AREA CODE AND PHONE NUMBER

MAILING ADDRESS

CITY

STATE

ZIP CODE

For Additional lessees, photocopy this page and attach as required.

6. VESSEL UNDER CONSTRUCTION INFORMATION

NAME OF BUILDER

BUILDER'S ADDRESS

CITY

STATE

ZIP CODE

AREA CODE AND PHONE NUMBER

DATE INITIAL CONSTRUCTION CONTRACT OR SALES AGREEMENT SIGNED

PASSENGER CAPACITY

HAS THE VESSEL BEEN COMPLETED?

USCG DOCUMENTATION NUMBER OR STATE REGISTRATION NUMBER, IF ISSUED

If the applicant is the same as vessel owner listed in Section 3, check here and skip to Page 3. If the applicant is the same as the vessel lessee listed in section 4, check here and skip to Page 3. Otherwise, continue with this section.

Applicant is:

INDIVIDUAL or JOINT OWNERSHIP

BUSINESS

LAST NAME OR NAME OF BUSINESS

FIRST NAME

MIDDLE NAME

Suffix (Sr., Jr. II, etc)

MAILING ADDRESS

CITY

STATE

ZIP CODE

AREA CODE AND PHONE NUMBER

FEDERAL ID NUMBER (FEIN) if a business owns the vessel or Social Security Number (SSN) if an individual owns the vessel

DATE OF BIRTH OR DATE BUSINESS FILED WITH YOUR STATE (MM/DD/YYYY)

7. HISTORICAL CAPTAIN

ONLY those individuals that are applying for the Gulf of Mexico Charter Vessel/Headboat Historical Captain permits under the Historical Captain provision need to fill out this section. Such applicants are reminded to attach:

- (1) documentation such as tax records verifying the earned income requirement,
- (2) a copy of the applicable USCG license and/or Certificat of Inspection, AND
- (3) a notarized affidavit signed by a vessel owner certifying that:

(a) the period the applicant served as captain of a permitted vessel;

(b) the USCG Documentation Number or State REGistration Number for the vessel the applicant captained;

(c) whether the boat was uninspected (6-pack) or had a safety inspection by the USCG; and

(d) whether the permitted vessel held the reef fish or coastal migratory pelagics for-hire permit, or both.

LAST NAME OR NAME OF BUSINESS

FIRST NAME

MIDDLE NAME

Suffix (Sr., Jr. II, etc)

DATE OF BIRTH (MM/DD/YYYY)

SOCIAL SECURITY NUMBER

AREA CODE AND TELEPHONE NUMBER

MAILING ADDRESS

CITY

STATE

COUNTY

ZIP CODE

COUNTRY

Date started as Captain: DD/MM/YY

DATE END AS cAPTAIN: DD/MM/YY

USCG DOCUMENTATION NUMBER OF STATE REGISTRATION NUMBER for the vessel you captained and are claiming eligibility under the Historical Captain provision.

PASSENGER CAPACITY OF THE VESSEL. If the passenger capacity was greater than 6 persons provide a copy of the vessel's Certificate of Inspection

8. PREDOMINANT GEAR and FISHERIES

This vessel is best described as

Charter (CS)

Heacboat (HB)

Data required for all vessels

List by letter up to 4 types of gear used to harvest your catch. 1 as most frequently used, 4 as least frequently used. (blank letters are reserved for commercial gear, choose from the listed selections).

1.

A. Shrimp Trawl

F. Rod and Reel
2.

B. Fish Trap/Pot

G. Surfact Longline
3.

C. Gillnet

H. Bottom Longline
4.

D. Reef Fish Bandit

I. Lobster Trap
- E. Hand/Troll line

J. Diver
- K. Other (Specify)

9. PERMITS

FEES FOR PERMITS ARE \$50 FOR 1 PERMIT, \$70 FOR 2 PERMITS. FEES ARE PAYABLE BY CHECK OR MONEY ORDER MADE OUT TO THE U.S. TREASURY.

GULF OF MEXICO CHARTER/HEADBOAT FOR COASTAL MIGRATORY PELAGIC (CHG)

GULF OF MEXICO CHARTER/HEADBOAT FOR REEF FISH (RCG)

HISTORICAL CAPTAIN GULF OF MEXICO CHARTER HEADBOAT FOR COASTAL MIGRATORY PELAGIC (HCHG)

HISTORICAL CAPTAIN GULF OF MEXICO CHARTER/HEADBOAT FOR REEF FISH (HRCG)

10. SIGNATURE

The undersigned certifies that he or she meets applicable requirements for requested permits as shown on the attached instructions.

Applicant Signature

Date:

Print Name

Position in Business

Operator Signature (if required)

ACTIVITIES FOR WHICH PERMITS ARE REQUIRED

GULF OF MEXICO COASTAL MIGRATORY PELAGIC - For a person aboard a vessel that is operating as a charter vessel or headboat to fish or possess a coastal migratory pelagic fish in or from Federal waters of the Gulf of Mexico, a permit must be issued to the vessel and be on board.

GULF OF MEXICO REEF FISH CHARTER - For a person aboard a vessel that is operating as a charter vessel or headboat to fish for or possess a reef fish in or from Federal waters of the Gulf of Mexico, a permit must be issued to the vessel and be on board.

INSTRUCTIONS (Incomplete or illegible applications will be returned.)

1. All applicable sections must be completed or the application will be returned.
2. The application fee is **\$50 for one fishery permit, \$70 for two fishery permits** and is **non-refundable**. A check or money order payable to the **U.S. TREASURY** must accompany each application. Each permit obtained may require additional reporting requirements, including a daily fishing vessel logbook record.
3. Mail the application, a **copy of your current Coast Guard Documentation or if the vessel is not documented a copy of your state registration** (must be provided with each application), check(s)/money order(s) and any documentation to support eligibility is required to: NMFS (F/SER1), 263 13th Avenue South, St. Petersburg, FL 33701. Questions may be phoned to 727/824-5326 between 8am - 4:30pm EST. If you would like your permit returned to you via overnight mail, enclose a **FEDERAL EXPRESS** air bill, complete with your delivery address, telephone number, and your FEDEX account number or credit card number.

SECTION 1 Economic Harm, for the purposes of this Emergency Rule, is based on the concept that a person suffered a tangible loss as a result of the inability to operate in these fisheries after the moratorium in the same manner as he/she did prior to the moratorium. Information in this section goes towards documenting the applicants involvement in the fishery prior to implementation of the moratorium. Accordingly, you are asked to provide the name of the person or business that was the permit owner, and the official number (Coast Guard Documentation number or State Registration number) of the vessel to which a Charter/Headboat permit was issued between March 29, 2000 and November 13, 2003, which is the basis of your "economic harm".

If the vessel was issued a Charter/Headboat permit for coastal migratory pelagic fish, you must demonstrate that the vessel operated in the Gulf of Mexico. If the NMFS SERO Permit Office files reflect a Gulf of Mexico home port you do not need to provide further documentation. If the NMFS SERO Permit Office files do not reflect a Gulf of Mexico home port then you must provide supplemental documentation such as Coast Guard Documentation for the permitted vessel; appropriately dated logbooks, passenger manifests, or fuel receipts for the permitted vessel that clearly indicate operation within the Gulf; appropriately dated receipts for dock rental for the permitted vessel from a Gulf-based marina; or other documentation enclosed with this application.

SECTION 2 Enter name, official number, and length of vessel as they appear on the certificate of documentation or, if not documented, on the state registration. Under "Home Port", enter the city and state where the vessel is customarily kept, not necessarily the home port on a certificate of documentation. All information is required unless the vessel is state registered in which case the gross and net tonnage and hold capacity are not available and not required.

SECTION 3 Enter the information of the person shown as the "**owner**" on the vessel's certificate of documentation or, if not documented, on the state registration certificate. If the "**owner**" is a business or partnership, enter the Federal ID number and date the business/partnership was formed.

SECTION 4 Complete this section only when the vessel is being operated under a lease or other written management agreement that bestows control over the destination, function or operation of the vessel to a person other than the person shown in Section 2. Enter the start date and date of expiration of the lease or written management agreement. If such lease or written management agreement exists, the controlling person is the owner for the purposes of the permit.

SECTION 5 Complete this section if vessel is owned by a business or partnership. Please provide: name, address, phone number, date of birth, SSN, and position for each shareholder/partner in the business. If additional space is needed, photocopy the blank page as many times as needed to provide information for everyone.

SECTION 6 Complete this section only if you are applying for permits under the vessel under construction provision of the Emergency Rule. You must demonstrate to NMFS that you spent a minimum of \$5,000 on the construction of a Charter/Headboat prior to 03/29/2001. Such proof may include but not limited to: A copy of a contract to build/purchase a vessel that states that a charter/headboat will be constructed or similar phrasing. A contract that states "a vessel to be constructed" will require additional documents. All documentation must be dated prior to 03/30/2001. Additional documents may include purchase orders/receipts showing the purchasers name, the date and the cost of items that may reasonably be geared to the charter/headboat industry. Such invoices may be for outriggers, downriggers, fighting chairs, larger bait wells, extra safety equipment such as Type 1 life jackets, EPIRBs and life rafts or the professional inspection of EPIRBs and life rafts. Receipts for terminal tackle (rods, reels, hooks, line, sinkers, bait, lures), and navigation electronics and gear are routine for either charter, commercial, and recreational vessels and will not be considered proof of preparing for chartering.

SECTION 7 Complete this section only if you are applying for a Historical Captain vessel permit. You must be a U.S. Coast Guard licensed captain who can demonstrate to NMFS that you were licensed by the USCG and operated (as a captain) a for-hire vessel permitted in either the reef fish or coastal migratory pelagic fisheries prior to 3/29/2001 but did not have a charter vessel/headboat permit issued in your name, or to a corporation in which they were a shareholder, for either fishery. To obtain this letter of eligibility, you must submit records to NMFS that demonstrate at least 25 percent of your earned income came or was derived from recreational for-hire fishing in 1 of the 4 years ending with 3/29/2001 (i.e., calendar years 1997, 1998, 1999, or 2000). Such records should include, but not be limited to, income tax records. You must also submit an affidavit from a vessel owner, witnessed by a notary public, certifying (1) the period you served as captain of a permitted vessel; (2) whether the boat was uninspected (6-pack) or had a safety inspection by the USCG, and

(3) a statement certifying whether the permitted vessel held the reef fish or coastal migratory pelagics for-hire permit or both.

SECTION 8 Complete this section that best describes what type of fishery the vessel is and what type of gear is most used on the vessel. You must complete this section or the application will be returned.

SECTION 9 Select the type of charter/headboat fishery(ies) you wish to apply for.

SECTION 10 The application must be signed by the vessel owner. If business owned, then the application must be signed by an officer of the business and indicate the position within the business.

In accordance with Federal regulations, any change in your permit information must be reported to the NMFS Regional Administrator within 30 days of the change.

KNOWINGLY SUPPLYING FALSE INFORMATION OR WILLFULLY OVERVALUING ANY FISHING INCOME FOR THE PURPOSE OF OBTAINING A PERMIT IS A VIOLATION OF FEDERAL LAW PUNISHABLE BY A FINE AND/OR IMPRISONMENT.

Public reporting burden for this collection of information is estimated to average 40 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to Permits Branch, National Marine Fisheries Service, 263 13th Avenue South, St. Petersburg, FL 33701. The National Marine Fisheries Service requires this information for the conservation and management of marine fishery resources. The data reported will be used to develop, implement, and monitor fishery management activities for a variety of other uses. Responses to this collection are required to obtain or retain a fisheries permit under the Magnuson - Stevens Act. All data submitted will be handled as confidential material in accordance with NOAA **Administrative Order 216-100, Protection of Confidential Fishery Statistics**. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.